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ABSTRACT

In Oregon, schools licensed by the Department of Education serve a broad base of occupational training needs and are governed by broadly stated and permissive legislation. It is the loose construction of statutes that gives the Department's Advisory Committee its purpose. The Committee and the Department jointly set standards of operation for the proprietary school. As the schools' involvement in training Oregon residents during the 70's, the strength of the state-school relationship will be tested. Therefore, it will be helpful to have a detailed description of the present relationship between proprietary schools and their respective licensing authorities. A recent Oregon Educational Coordinating Council report, "Proprietary Schools and Educational Plannings," October 1970, dramatized the problem further by demonstrating that nationally, "the 1960's could be considered a decade of indecision by local educational organizations which failed to develop new working relationships to utilize the facilities or programs of proprietary school." The following conclusions have been reached from the research and preparation of this report: (1) State licensing agencies for proprietary schools have established a close and significantly unique relationship with the proprietary school in Oregon which is nationally unprecedented; (2) The proprietary school can no longer be ignored in the assessment of educational resources in the state; (3) There is a need for the state to be equipped to objectively assess the performance of a school in at least teacher training and supervision and program evaluation. (CK)

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THE PROPRIETARY SCHOOL IN OREGON

1971

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February 1971

The Legislative Assembly finds that private vocational schools operated in this state are capable of increasing the educational opportunities available in this state and of making a contribution to the social and economic progress of the people of this state. Private vocational schools offer different approaches to education than do public schools and are often able to provide vocational and placement assistance not otherwise available. It is the intent of the Legislative Assembly to provide for standards for the operation of private vocational schools which will strengthen them and provide protection to the students attending them and to the public generally.

ORS 345.320

PREFACE

A study by Syracuse's Educational Policy Research Center reports that by 1975 there will be 18 million persons enrolled in proprietary schools. This is almost double the enrollment estimated in attendance during 1970. The acceleration in proprietary school enrollments, according to the Center, is due to an increase in industrial demand for trained servicemen, and a lack of public facilities sufficient to meet the demand.

States, unable to meet the demand through public facilities, will look to the proprietary school for assistance, at which time they will be obliged to demonstrate that a high standard of operation exists in its association with the proprietary schools. However, insuring a high standard of proprietary school education will not be without its frustrations. Chief among the problems will be the joint development of standards and the means by which the states can be assured of a school's performance.

A recent Oregon Educational Coordinating Council report, Proprietary Schools and Educational Planning, October, 1970, dramatized the problem further by demonstrating that nationally,

> ". . . the 1960's could be considered a decade of indecision by local educational organizations which failed to develop new working relationships to utilize the facilities or programs of proprietary school."

The Council's report, in its discussion of the apparent inactivity of most states to consider seriously the utilization of proprietary schools in the provision of vocational training, has at the same time made an assessment of Oregon's efforts in this area timely. It is the purpose of this report to review the specific relationship that exists between the state and the proprietary school in Oregon.

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INTRODUCTION

Oregon has pioneered many movements for which it has gained national stature in the field of education, but few have been as significant as its effort in behalf of the proprietary school.

As early as 1964, the State Department of Education appointed an advisory committee on private vocational schools made up of representatives from schools licensed by the Department of Education (see Appendix A). The Committee has functioned successfully since that time under the permanence of Oregon statute, which it gained in 1965, and the guidance of Department staff and its official charge which is set forth by statute and administrative regulation (see Appendix B).

Unlike barber, beauty, flight and commercial driver schools which are licensed by separate agencies and closely regulated by statute and administrative regulation, schools licensed by the Department of Education serve a broad base of occupational training needs and are governed by broadly stated and permissive legislation. It is the loose construction of statutes and administrative regulation that gives the Advisory Committee its purpose. The Committee and the Department of Education jointly set standards of operation for the proprietary school.

The Educational Coordinating Council's report, Proprietary Schools and Educational Planning, confirmed Oregon's pioneering role with proprietary schools by describing, in apparent contrast to Oregon, the relatively non-existent relationship between proprietary schools and their respective state regulatory, supervisory, planning and licensing agencies that is so prevalent across the nation.

As the proprietary schools' involvement in training Oregon residents increases during the Seventies, the strength of Oregon's relationship with proprietary schools will be tested time and again as questions relative to standards, facilities, and program offerings become more intense. It will be helpful, in this light, to have a detailed description of the present relationship between proprietary schools and their respective licensing authorities.

NON-EDUCATION AGENCIES WITH LICENSING FUNCTION

Introduction

Certain state agencies, not otherwise involved in education, have been given the responsibility in Oregon of licensing and overseeing the operation of schools. Such is the case with the Boards of Aeronautics (flight schools), Barber Examiners (barber schools), and Cosmetic Therapy (cosmetology schools), and more recently, the Department of Motor Vehicles (commercial driver training schools).

Each of these agencies has two things in common: first, each licenses schools in a single vocational area; and second, each performs certain other functions which are unrelated to education.

Because of the unique relationship between these non-education oriented agencies and the proprietary schools licensed by each, and because of the substantial amount of statutory and administrative language designed to shape their respective relationships, these agencies will be identified and discussed only briefly in the report.

For detail, the reader is requested to refer to the specific statutes and administrative regulations provided as appendices to the report.

Flight Schools

ORS 493.150 states that:

> "The State Board of Aeronautics, exclusively, shall license, inspect and regulate all aeronautical schools within this state. The license, when granted, shall be at no cost to the school. The board also shall adopt standards for the operation of such schools and may make regulations as it may deem necessary to carry out the spirit, intent and purpose of this section."

Except for one other section (ORS 492.010 (8)(a)(b) which defines "air school"), the above is the only reference to flight schools in the

Oregon law. Even with this brief Oregon citation, the flight schools are probably more closely regulated than all others.

Before an instructor can make application for a license to teach in Oregon, he must first have been granted an Air Agency Certificate by the Federal Aviation Administration which attests to his qualifications as an instructor in the area indicated. The certificate means that he has undergone rigid instruction on all facets of flight training. However, the certificate alone does not guarantee issuance of a license to teach or operate a school in Oregon, as the Board of Aeronautics must satisfy itself that the individual making application is of high character and integrity.

In addition, the Board is the state approving agency for programs offered by the Veterans' Administration. As such, the Board is guided by extensive Federal regulations governing program approval for schools offering training to returning veterans. It is interesting to note that Oregon is one of two states housing this function with its Board of Aeronautics. All others charge the Board of Education with program approval for flight schools operating programs for returning veterans.

As far as state regulations are concerned, the Board of Aeronautics has chosen not to promulgate such directives. They argue, and rightly so it would appear, that the Federal law and regulation governing this area are more than adequate and state regulations would only be redundant.

Barber Schools

The Board of Barber Examiners is the licensing authority for barber schools. Its relationship with the six barber schools presently operating in Oregon is prescribed primarily by Oregon law (see Appendix C).

Oregon law governing barbers, barber teachers, and barber shops and schools, which has always been relatively detailed, became even more

precise as a result of legislative action in the 1969 session. The areas receiving greatest attention were student data reporting, teaching requirements and school licensing requirements. Changes in the area of student data reporting effected such things as monthly reports on attendance, hours of classroom instruction, grading and examinations. In the area of teacher requirements, the changes effected student/teacher ratio and made practice in Oregon a prerequisite to obtaining a license to teach. With regard to changes in school licensing requirements, it became more difficult to open a school in Oregon. An example of the school licensing requirements designed to control the number of schools operating in the state is described in ORS 690.130 (2) which reads as follows:

> "The board shall not issue a barber college license to a college unless the head instructor of the college was actively engaged in barber teaching at a licensed barber college in Oregon during the three years immediately preceding the day the application for a barber college license was filed."

The Board and the barber schools which now exist believe that Oregon has a sufficient number of schools to meet the demand for barbers. It would appear that the Oregon Legislative Assembly concurs with that belief.

Cosmetology Schools

The cosmetology schools are perhaps as closely regulated by Oregon statute as are the barber schools (see Appendix D).

The Board of Cosmetic Therapy is the licensing agency for cosmetology schools and is regulatory/supervisory in its relationship to these schools. This relationship is closely prescribed by statute, and, except

for housekeeping revisions, laws governing the Board and the forty-one cosmetology schools presently licensed to operate in the state have seen little change in recent years. In addition, the schools have remained relatively constant in number and ownership, making this segment of proprietary school education one of the more stable in Oregon.

This relative stability has helped to strengthen the occupational field of cosmetology by allowing the Board to concentrate on those activities that enhance the profession. Foremost among these activities has been the public use of private cosmetology school facilities for occupational training at the secondary school level. The Portland School District has 94 students enrolled in private cosmetology schools for which there is no tuition charge. It has been agreed that when the student continues the program after high school graduation, a tuition fee will be charged. The school district is presently evaluating the success of the program and the results will be available soon.

Also important to the profession of cosmetology has been the recent creation of the Cosmetology Accrediting Commission. The Commission is recognized by the U. S. Commissioner of Education as the national accrediting agency for private cosmetology schools and has accredited nine schools in Oregon since its creation in 1970 (see Appendix E).

Driver Training Schools

By action of the 1969 Oregon Legislature, driver training schools, which are avocational in nature, are licensed by the Department of Motor Vehicles. These schools are avocational in that their only objective is to teach a student how to drive.

The private driver training schools are now subject to a more precisely defined statutory and administrative regulation than they were

under the Department of Education (see Appendix F).

There are twenty-three driver training schools licensed by the Department of Motor Vehicles. The Department of Education remains the licensing authority for the vocational driver training school which is designed to instruct a student on driving as an occupation. It is interesting to note that the Department of Education, under a separate division, oversees those driver education programs offered at the public secondary schools. The public school program has as its objective instruction in such things as defensive driving, safety, mechanics of speed -- primarily the cultivation of a particular attitude toward driving. It is not concerned with licensing the student to drive, although that is usually a result of the training received.

Because of the newness of the association with the private driver training schools, the Department of Motor Vehicles is still in the process of defining its relationship with these schools. In the meantime driver training is as it is described by statute and administrative regulation.

STATE DEPARTMENT OF EDUCATION

Unlike the licensing agencies for flight, barber, cosmetology and commercial driver schools, the State Department of Education has responsibility for licensing and overseeing the activities of proprietary schools which provide training services on a broadly diversified vocational front. Also unlike the other licensing agencies, statutes governing the licensing and overseeing function of the Department of Education are broadly stated and permissive in nature. For example, there is no statutory language to define precisely the relationship that must exist between the Department of Education and licensed schools, no minimum standards of operation prescribed and, except for a financial statement, no objective means of assessing the capability of a licensee to perform. This broadly stated statute has put a heavy burden on the Department to develop a relationship with the school it licenses. The relationship appears to be well established and working effectively.

Accordingly, a description of the relationship that exists between the Department of Education and the proprietary schools licensed by it cannot be dismissed with a statutory reference.

Licensing

To ensure the conduct of a particular quality of program, Chapter 345 of the Oregon Revised Statutes states that licenses,

> ". . . shall be granted only to such persons as are trustworthy, competent, ethical and equipped to transact such business in such manner as to safeguard and protect the interests of the public . . . "

In addition, the Superintendent of Public Instruction requires

that there be submitted to his office by the applicant school a certified financial statement, a bond in the amount of $2,500 and certain materials descriptive of the nature of the program the school proposes to offer, and the characteristics of the staff it is proposed shall teach in the school.

While the latter materials relating to program and staff are reviewed by the State Department of Education, the principal factor considered in the licensing process is the school's financial statement and the bond. The review of the material relating to program and staff is cursory in character, and the issuance of a license to a school is not taken as approval or disapproval by the State Department of Education of the program or the persons employed to teach therein. In short, the license is in the nature of a business license which reflects primarily the financial responsibility of the school.

Certification and Accreditation

ORS 345.360 provides that the Superintendent of Public Instruction shall issue certificates to vocational schools which demonstrate compliance with the minimum standards developed by the Advisory Committee and adopted by the Board of Education (see Appendix G). There is the specific stipulation that the certification of compliance shall not be required of any vocational schools as a condition to issuance or continuance of the license.

Compliance with minimum standards and the issuance of certificates represent an informal accrediting process in which many schools have chosen to participate (see Appendix G). Although national accreditation by an agency recognized by the U.S. Commissioner of Education has been available for some time, few schools have chosen to apply (see Appendix E).

Perhaps it is because accreditation by agencies set up expressly for proprietary schools does not provide the immediate acceptance that accreditation from the Northwest Association of Secondary and Higher Schools does. To date this association has successfully refused applications submitted by proprietary schools on the grounds that they are profit-oriented.

There was some expectation following the much publicized Marjorie Webster decision, that the profit-motivated proprietary school could no longer be denied accreditation because of their profit orientation. However, the decision has been overruled on appeal by the U. S. Court of Appeals for the District of Columbia.

The reason for the decision was that proprietary schools have different purposes and, therefore, should be judged or accredited on the basis of different standards.

Without arguing the merits of either decision, the proprietary school desiring accreditation from the agency which accredits colleges and universities may seek it under a false sense of security. Attainment would not provide immediate acceptance by the educational establishment as many of these schools believe.

Accreditation is a process of recognizing those educational institutions whose structure and integrity entitle them to the confidence of the educational community and public. Recognition is extended largely through nongovernmental or voluntary agencies which have assumed responsibility for establishing criteria, visiting and evaluating institutions at the institution's request, and approving those institutions that meet their criteria -- criteria designed specifically to assess a particular type of institution.

At its April 17 meeting, the Board of Education attempted to enhance the status of those proprietary schools affiliated with a national accrediting association by approval of a recommendation to:

> ". . . accept the status of those Oregon private vocational schools affiliated with the National Home Study Council, National Association of Trade and Technical Schools, the Accrediting Commission for Business Schools and the American Medical Technologist Registry for the purposes of improving instructional standards and establishing eligibility for certain funds."

Advisory Committee for Private Vocational Schools

More than any other single function of the Department of Education, staffing the Advisory Committee for Private Vocational Schools has paid the biggest dividends in developing a relationship between the Department and proprietary education.

Meeting regularly since its formation in 1964, the Committee has had many critical assignments. Foremost among these has been the statutory charge to ". . . recommend to the board (Board of Education) minimum standards for the operation of vocational schools." Minimum standards for the operation of private vocational schools were adopted December, 1965 (see Appendix H). These standards are the basis for determining whether a school is to receive a certificate of compliance from the Superintendent of Public Instruction.

The development of operating standards, promulgated jointly by the Advisory Committee and the Board of Education, was the first in a series of actions designed to improve the educational service offered by the proprietary schools. In the years to follow, the Advisory Committee recommended and the Board of Education adopted standards governing

advertising and promotion for private vocational schools, (see Appendix I); standards governing teacher qualifications for private vocational schools (see Appendix J); and, a state refund schedule for resident and correspondence schools (see Appendix K).

As a supervisory agency, the Department of Education periodically reviews the advertisements and advertising policy of each school to insure compliance with advertising and promotion standards, and as a means of insuring compliance with the standards for teacher qualifications, requires each teacher to file with the Department a completed Teacher Qualification Form.

The refund schedule officially established by the Superintendent of Public Instruction, with the advice of the Advisory Committee, has legal foundation in that a refund schedule is required by ORS 345.115. In addition, any tuition or training contract entered into between a student and private vocational school must contain a complete description of the refund schedule.

Other assignments in line for the Advisory Committee and the Department of Education include: 1) the development of a self-evaluation instrument; 2) in-service training programs for proprietary school instructors; and 3) modification of the licensing application.

Special Duties Relating to Proprietary Schools

Supervision: The Department is responsible for the supervision of all licensed schools and school salesmen operating under Oregon Law Chapter 345.

Certification Requests: The applicable law for certificates of compliance, including issuance, renewal, suspension and revocation, is

ORS 345.360. A request for review may be made under this law by a school that feels it can demonstrate compliance with the Minimum Standards of Operation. The Department is then obliged to review the school operation and make a judgment relative to compliance.

Once issued, the certificate comes up for review annually. Upon satisfactory review, the certificate may be renewed. If there is some doubt as to compliance with the standards, the Department of Education may suggest modifications in the school's operating procedures or hold a public hearing requesting that the school show cause as to why their certificate of compliance should not be revoked.

Visitations: As the approving agency for schools offering programs to the returning veteran, the Department is required to make at least one visit per year to schools having Veterans Administration approval. In addition, the Department must respond to complaints directed to the Veterans Administration by a student under the GI Bill. With approximately 12 percent of proprietary school enrollment made up of students under the GI Bill, the log of complaints oftentimes becomes demanding.

Manpower Development Training Act (MDTA)

The Department of Education responds regularly to requests from agencies about the training capability of various schools. Included among these agencies is the Apprenticeship and Training Council, the Division of Employment, the Division of Vocational Rehabilitation, and the Division of Welfare, all of which direct students to the proprietary schools under special manpower training grants. Most manpower training grants are made under the MDTA program, one-third of which go

to private vocational schools (see Appendix L). In most cases, the agency will have prior experience with a school's training capability and will make a judgment based on that experience. Where the agency is without prior experience, it must rely on the judgment of others, in this case, the Department of Education, or make an on-site inspection.

Information Service

Finally, and perhaps of greatest significance is the information service which the Department provides to the public. The Department receives numerous requests for information about private vocational schools, the programs offered, cost, placement, and other related and unrelated questions. Answering these requests represents a large commitment of time and, for the most part, it is without public benefit, for the Department is obliged to give only "name, rank and serial number". That is to say, they are not in a position to make a judgment publically as to the training capability of a school, but instead must encourage the person seeking information to contact various schools and make his own judgment.

However, the Department can provide some guidance on what to look for in a good school. Such things as reviewing the school's record of placement, checking to determine whether it is accredited, and talking to graduates of the school are usually suggested as means for assessing worth.

STATEWIDE COMPREHENSIVE EDUCATIONAL PLANNING

From the initiative of the Oregon Private Vocational School Association, the Oregon Educational Coordinating Council has, since 1968, recognized the need to include the proprietary school in statewide comprehensive educational planning.

As a result of a 1968 study of the role of the proprietary school in Oregon, it was determined that these schools do make an important contribution to the residents of this state and ought to be considered in the statewide coordination and planning of educational services. Specifically, the Council's report, The Proprietary School in Oregon, (April 1969) recommended in part that,

> "Provision should be made by the Council, with the advice of its Research and Management Data Committee, for the annual reporting of basic, relevant information from proprietary schools in a form which is comparable to data reported by other segments of education."

Since adoption of this recommendation, representatives of the proprietary schools have been serving as members of the Research and Management Data Committee. Their participation has contributed significantly to the development of a survey instrument based on a conversion formula that will develop student enrollment data on a basis comparable to data reported by the other segments of education (see Appendix M).

The results of the first mailing of the survey instrument are being recorded at this writing and the response from proprietary schools has been exceptionally good indicating a sincere desire on their part to participate fully in state planning programs. Although the results of the survey are likely to suffer some during the first year because of inexperience with data reporting, the schools will still provide

information that will shed some light on the extent of the contribution being made by these schools, the number of Oregon residents enrolled and the geographical areas being served.

The steps that have been taken by the Council since 1968 have been significant. Recent experiences in the assessment of educational resources have caused the Council to reaffirm its belief that it is no longer possible to ignore proprietary institutions in its comprehensive planning efforts.

In the process of further incorporation of the proprietary school into statewide planning, the Council conducted a study on the status nationally of proprietary schools and their relationship to educational planning. The conclusions of the study, which suggested that most states have chosen to ignore these schools in statewide planning efforts, were indirectly flattering to Oregon because of its effort in behalf of the proprietary school.

However, before Oregon finds too much comfort in its apparently unique contribution to total statewide planning, it should consider further the tremendous task ahead. Critical to the protection of the students attending these schools and the public generally, as Oregon statute suggests at the opening of this report, are activities which will lead to the assurance of high quality in all vocational education programs. (This means more than simply meeting today's requirements for accreditation.) More specifically, it means an objective determination as to whether the school actually produces in a manner consistent with its stated objectives. It is only through this sort of audit that the proprietary school can be strengthened and the consumer protected.

CONCLUSIONS

The following conclusions have been reached from the research and preparation of this report:

1. State licensing agencies for proprietary schools have established a close and significantly unique relationship with the proprietary school in Oregon which is nationally unprecedented.
2. The proprietary school can no longer be ignored in the assessment of educational resources in the state.
3. There is need for the state to be equipped to objectively assess the performance of a school in at least these areas: Teacher training and supervision, program evaluation and updating of course materials.

RECOMMENDATIONS

It is likely that the proprietary school in Oregon will continue to train a large segment of Oregon residents for entry into a variety of occupational areas. It is also likely that the state will need to rely more heavily upon the training services of proprietary schools as the demand for vocational training accelerates.

Accordingly, the Educational Coordinating Council should:

1. continue to explore means whereby proprietary school education can be further integrated into statewide comprehensive planning;
2. request that the State Department of Education assist in the development of means for objectively assessing the output capabilities and performance of these schools. Assessment should be in light of each school's objectives;
3. develop the means for an inventory of proprietary school program resources, facilities, and student capacity;
4. regularly assess the program offerings of proprietary schools in light of current and projected manpower requirements;
5. encourage the proprietary schools to seek accreditation from appropriate accrediting agencies and develop means for an on-going program of self-evaluation.

APPENDIX A

STATE DEPARTMENT OF EDUCATION
ADVISORY COMMITTEE ON PRIVATE VOCATIONAL SCHOOLS

ORS 345.330 provides for the appointment, by the Superintendent of Public Instruction, of seven officials from vocational schools licensed by the Department of Education. The terms are four years in length and the present committee structure is as follows:

Mr. Mel Earle, Technical Training Service	1968-1972
Mr. Louis Friton, Commercial Driver Training School	1967-1971
Mr. Don Grulke, Western Business University	1968-1972
Mr. Walter Petersen, Electronic Computer Training Institute of Portland	1969-1973
Mr. James L. Rickey, Sales Training, Inc.	1969-1973
Miss Margaret Stone, Northwest Schools	1970-1974
Mr. Norman Webb, Norman Webb Real Estate Sales and Brokers School	1967-1971

APPENDIX B

ADVISORY COMMITTEE ON PRIVATE VOCATIONAL SCHOOLS
Charges and Duties

1. Function of the Committee:

The Committee is authorized by ORS 345.330 to: 1) conduct studies and make recommendations to the State Board concerning the need for vocational and technical facilities, the types of education needed and by whom it can best be provided; 2) develop recommended standards for vocational school; 3) investigate and present findings to the Board on the administration and operation of laws relating to vocational schools; 4) consult with the Superintendent in determining the refund schedule under ORS 345.115.

2. Responsibility and Authority:

   a. To work in an advisory capacity with the staff of the Oregon Board of Education within the framework of the functions of the Committee as set forth in Item 1.

   b. To hold meetings and transact Committee business.

   c. To make recommendations to the Superintendent of Public Instruction and the State Board of Education as directed by ORS 345.330.

3. Relationships:

   a. The Committee is related to the State Board of Education through the Superintendent of Public Instruction, his Deputy, or other designated representatives.

b. The Superintendent of Public Instruction or his designated representative shall act as Executive Secretary to the Committee.

4. Accountability:

The minutes of each meeting will be available to the Superintendent of Public Instruction and to the State Board of Education. The contents of the minutes will contain information on the determinations of the Committee, project findings and plans as related to the areas set forth in ORS 345.330.

APPENDIX C

ORS 690.125 - 690.130

690.125 Barber teachers; qualifications for registration; effect of failure to pass examinations. (1) A person is qualified to receive a certificate of registration as a barber teacher if he:

(a) Has passed an examination conducted by the board to determine his fitness to teach barbering. The examination shall include practical, oral and written tests and shall embrace the subjects required by ORS 690.130 to be taught in schools of barbering approved by the board.

(b) Has been an active, practicing registered barber in this state for at least one year during the two years immediately prior to the filing of his application for a certificate of registration as a barber teacher.

(2) If the person fails to pass the examination, he may file a new application, accompanied by the required fee. However, the person shall not reapply sooner than the 31st day after the day of his prior examination. A person shall not be permitted to teach barbering until such time as he has passed an examination and has received a certificate of registration as a registered barber teacher. However, with the approval of the board, a school may, for a period not to exceed 60 days, employ a registered barber to teach for a trial period or during an emergency.
[1961 c.300 §2; 1969 c.687 §6]

690.130 Approval and licensing of barber schools. (1) No school for the teaching of barbering shall be approved and licensed by the board unless:

(a) It requires, as a prerequisite to admission thereto, graduation from the eighth grade of a grammar school or its equivalent as determined by an examination conducted by the board, and a certificate from a physician licensed under ORS chapter 677 or 685 that the applicant for admission is free from contagious and infectious diseases, including but not limited to tuberculosis. A barber school shall furnish proof of a student's compliance with the educational requirement of this paragraph not later than the 61st day after the day the student is admitted to the barber school.

(b) It requires as a prerequisite to graduation a course of instruction of not less than 1,350 hours in courses specified in paragraph (c) of this subsection, to be completed within 12 consecutive months, of not more than 48 hours in any one working week.

(c) Its course of study shall include theory and practical application of fundamental skills and elementary sciences related to barbering including barbering hygiene, bacteriology histology of the hair, skin, muscles and nerves of the scalp, face and neck; elementary chemistry relating to sterilization, antiseptics and sanitation; common diseases of the hair, scalp, glands, face and neck; haircutting, shaving, shampooing, and the application of hair tonics, dressings and rinses; massaging of the scalp, face and neck, and facial and scalp treatments with creams, lotions, oils and other cosmetic preparations either by hand or mechanical appliances, but such appliances shall not be galvanic or faradic; demonstration of coloring, bleaching, tinting and waving of the hair; salesmanship, shop management and implements; the history of barbering and the ethics, laws and regulations governing the practice of barbering.

(d) It has filed with the board on forms furnished by the board the names and addresses of the owner or owners of such school; the name and address of each teacher, together with the subjects taught by each and proof that each is a registered barber teacher in good standing; the hours for lectures and instruction in theory and in practical application.

(e) It is so located and arranged physically as to be entirely separate and apart from any living quarters, barber shop or other place of business.

(f) It does not display or sell merchandise except such merchandise as is incidental to or related to barbering.

(g) It has at least one work station available eight hours a day for each registered student attending class; and it has no fewer than 20 work stations complete with adequate facilities for individualized training. A work station shall contain a barber chair and dustproof cabinet and a basin with hot and cold running water for every three barber chairs.

(h) It furnishes to each enrolling student a financial schedule showing the total cost of tuition and of all charges involved in the course of study, including all tools, books and equipment necessary for graduation.

(i) It is to be operated by a registered barber teacher who has demonstrated to the satisfaction of the board his qualifications to educate and instruct students in all subjects necessary to qualify them as competent barbers.

(j) It employs one full-time registered barber teacher for each 15 students, or fraction thereof. However, a school must employ at least two full-time registered barber teachers. As used in this subsection, "students" shall mean the average number of students in daily attendance at the particular barber school during the preceding calendar quarter, and the size of the teaching staff shall be reviewed and modified, if necessary, at the beginning of each calendar quarter.

(k) It has filed with the board a bond, with sufficient individual or corporate surety, in the sum of $5,000 for the benefit of any pupil concerned, conditioned that tuition paid will be refunded upon the failure of the school to operate, upon which bond any pupil may maintain an action for recovery of such tuition and costs and reasonable attorneys fees.

(L) Every barber college shall keep a daily record of the attendance of each student and the number of hours of instruction given by the school in required subjects. The barber college shall establish a grading system and administer examinations.

(m) The owner or manager of a barber college shall file a monthly student class attendance and subjects taught record with the board. This record shall be certified to by the owner or manager of the college and shall include a list of all registered students; the number of days each student attended class; the number of hours each student attended class; each student's total cumulative number of hours; and the theoretical subjects taught by the school during the particular reporting period.

(2) The board shall not issue a barber college license to a college unless the head instructor of the college was actively engaged in barber teaching at a licensed barber college in Oregon during the three years immediately preceding the day the application for a barber college license was filed.

(3) Paragraphs (e), (g), (h) and (i) of subsection (1) of this section and subsection (2) of this section do not apply to a school of barbering established at a state institution.

[Amended by 1959 c.630 §3; 1961 c.300 §6; 1961 c.436 §3; 1969 c.687 §7]

APPENDIX D

ORS 691.190 - 691.300

SCHOOLS OF COSMETIC THERAPY

691.190 Issuance of school licenses. (1) A person who wishes to operate a school for the teaching of cosmetic therapy shall apply to the board for a school license. A school license shall be issued by the board if the applicant:

(a) Offers at the school a course of study that meets the requirements of ORS 691.195.

(b) Provides premises for and operates the school as required by ORS 691.200.

(c) Files with the board the name and address of each teacher employed by the school, the subjects taught by each and his qualifications therefor.

(d) Files with the board a bond that meets the requirements of ORS 691.205.

(e) Pays the required license fee.

(2) An application for a school license shall be:

(a) Made by the owner of the school on forms provided by the board.

(b) Certified by the applicant under oath and filed with the board accompanied by the required license fee.

(3) A license to operate a new school shall not be granted unless the applicant files with the board verified copies of the applications for enrollment of at least 20 students for training for the minimum number of hours and months required by this chapter.

(4) A school license shall be issued in the name of the owner. If the owner is not the manager of the school, the owner shall file with the board the name of the person who manages the school, and the manager shall be responsible for the proper conduct of the school in the same manner as though he were the owner.

[1967 c.587 §30 (enacted in lieu of 691.220)]

691.195 Courses in cosmetic therapy. (1) A school of cosmetic therapy shall offer a continuous course of study covering a minimum of 2,500 hours distributed over a term of not less than 12 months, except that the school may offer:

(a) For manicurists, a continuous course of study covering a minimum of 350 hours distributed over a term of not less than six weeks.

(b) For electrologists, a continuous course of study covering a minimum of 500 hours distributed over a term of not less than four months.

(2) A school shall file with the board for approval an outline of the proposed course of study for each class of cosmetic therapy to be taught, showing the hours of instruction in anatomy, bacteriology, physiology, sanitation, the nervous system, glands, hair, skin, fingernails, the circulatory system, electricity, shop management, professional ethics and the history of cosmetology. The outline shall state the hours for instruction and lectures in theory and the hours for instruction for practical application.

[1967 c.587 §31 (enacted in lieu of 691.220)]

691.200 School premises. A school of cosmetic therapy shall:

(1) Be entirely separate and apart from, and have no connection with, living quarters, beauty shop or any other place of business.

(2) Display or sell no merchandise except merchandise that is incidental to or related to the teaching of cosmetic therapy.

(3) Have a separate entrance for use of the school and the word "school," "academy" or "college" printed in letters at least three inches high on all doors leading to the school which are open to the public.

(4) Use the word "school," "academy" or "college" conspicuously in its literature and advertising matter.

(5) Provide separate rooms for classwork and practical instruction.

(6) Provide adequate equipment for the full and ready teaching of all subjects included in the curriculum.

[1967 c.587 §32 (enacted in lieu of 691.220)]

691.205 School bond. The owner of a school of cosmetic therapy shall file with the board a bond, approved by the board as to form, in the penal sum of $5,000, running to the State of Oregon, for the benefit of any person concerned, conditioned upon faithful performance of any contract made with a student of the school. A student claiming to be damaged by reason of the failure of a school to fulfill the terms of the contract with the student may maintain an action against the school and the surety named in

the bond, or either of them, for refund of tuition paid. If the student obtains a judgment against the principal or surety in such an action, he shall be allowed disbursements, costs and a reasonable attorney fee.
[1967 c.587 §33 (enacted in lieu of 691.220)]

691.210 [Repealed by 1967 c.587 §57]

691.215 School regulations regarding students. The manager of a school of cosmetic therapy shall:

(1) Keep a daily record of attendance for each student and a daily record of the time devoted by each student to the various practices or classes of cosmetic therapy.

(2) Establish grades and hold examinations.

(3) File student monthly operation and attendance records with the board which records shall be subscribed by the school manager and the chief instructor.
[1967 c.587 §34 (enacted in lieu of 691.220)]

691.220 [Amended by 1955 c.155 §5; 1961 c.386 §3; repealed by 1967 c.587 §29 (691.190 to 691.215, 691.235 and 691.245 enacted in lieu of 691.220)]

691.225 [1961 c.386 §5; 1965 c.184 §1; repealed by 1967 c.587 §37 (691.226 enacted in lieu of 691.225)]

691.226 Hillcrest School and students. (1) Subsection (3) of ORS 691.190, ORS 691.200 and 691.205, subsection (3) of ORS 691.245 and subsection (1) of ORS 691.280 do not apply to a school of cosmetic therapy established at the Hillcrest School of Oregon.

(2) Notwithstanding ORS 691.245, evidence of good moral character shall not be required of a student to enroll in a school established at the Hillcrest School of Oregon.

(3) A certificate of parole or discharge from the Hillcrest School of Oregon shall be conclusive evidence of the good moral character of the student before and at the time of the granting of his parole or his discharge from the institution.

(4) A school of cosmetic therapy shall give full credit for hours of study completed by a student transferring from a school of cosmetic therapy established at the Hillcrest School of Oregon.
[1967 c.587 §38 (enacted in lieu of 691.225)]

691.230 Additional grounds for denial, revocation or suspension of school licenses. The board may also refuse to issue, renew or restore, or may suspend or revoke, a school's license if the school manager:

(1) Fails to comply with ORS 691.190 to 691.215, 691.235 and 691.245.

(2) Falsifies any record required to be filed with the board.
[Amended by 1953 c.272 §1; 1961 c.386 §6; 1967 c.587 §40]

691.235 School regulations regarding teachers. (1) A teacher employed at a school of cosmetic therapy shall devote his entire time during school hours to instructing students. A teacher shall not practice for a charge on any patron of the school. For each 20 students enrolled, a school shall employ at least one full-time teacher licensed to teach cosmetic therapy in classes A, B and D.

(2) Special lecturers and instructors who have special permits issued pursuant to ORS 691.105 may be employed to teach courses referred to in subsection (2) of ORS 691.195.
[1967 c.587 §35 (enacted in lieu of 691.220)]

691.240 [Amended by 1955 c.155 §6; 1967 c.452 §1; repealed by 1967 c.452 §11 and by 1967 c.587 §57]

691.245 Qualifications of students. (1) The school manager of each school of cosmetic therapy shall file with the board the name and address of each student who applies for training in the school accompanied by satisfactory evidence that the student meets the qualifications provided by subsection (2) of this section.

(2) A person is eligible to enroll in a school if he:

(a) Is at least 17 years of age.

(b) Is of good moral character.

(c) Has received the equivalent of two years' education in a high school.

(d) Furnishes a certificate from a physician licensed by the State Board of Medical Examiners that he is free from contagious and infectious diseases.

(3) Each school shall furnish each student a schedule showing the cost of each charge involved in the course of study. The school shall furnish the same information when advertising the school if the cost of tuition or related subjects are mentioned.

(4) When a practitioner applies for training in another class of cosmetic therapy, the board shall allow the applicant credit for training completed to qualify for the certificate of registration which the applicant holds.

[1967 c.587 §36 (enacted in lieu of 691.220)]

691.250 [Amended by 1957 c.406 §1; 1961 c.42 §1; 1967 c.452 §2; repealed by 1967 c.452 §11 and by 1967 c.587 §24]

TEACHERS OF COSMETIC THERAPY

691.252 Requirements for license as teacher of cosmetic therapy. A person who wishes to teach cosmetic therapy shall apply to the board for a teacher's license. A license shall be issued if the applicant:

(1) Satisfactorily passes an examination for a teacher's license.

(2) Has had the experience and training required by ORS 691.261.

(3) Is currently licensed as a practitioner in classes A, B and D.

(4) Is at least 21 years of age.

(5) Pays the required license fee.

[1967 c.452 §7; 1967 c.587 §19]

691.260 [Amended by 1957 c.406 §2; 1961 c.42 §2; 1967 c.452 §3; repealed by 1967 c.452 §11 and by 1967 c.587 §22 (691.261 enacted in lieu of 691.260)]

691.261 Qualifications for examination. An applicant is qualified to take the examination for a license to teach cosmetic therapy if he:

(1) Applies to the board to take the examination.

(2) Has:

(a) Completed at least 1,000 hours of student-teacher training as provided by ORS 691.290 and 691.295 in not less than six nor more than eight months;

(b) Had at least 18 months' continuous experience as a licensed practitioner in classes A, B and D, ending not more than six months immediately preceding the date of the application; or

(c) Had 18 months' continuous experience as a licensed teacher of cosmetic therapy in another state ending not more than six months immediately preceding the date of the application.

(3) Has, during the year immediately preceding the date of the teacher's examination, completed 30 clock hours of professional teacher training in a course approved by the board.

(4) Pays the required examination fee.

[1967 c.452 §8; 1967 c.587 §23 (enacted in lieu of 691.260)]

691.270 [Repealed by 1967 c.587 §20 (691.271 enacted in lieu of 691.270)]

691.271 Application for license. An application for a license to teach cosmetic therapy:

(1) Shall be on forms provided by the board.

(2) Shall contain satisfactory evidence that the applicant has the qualifications required by ORS 691.252.

(3) Shall be certified by the applicant under oath and filed with the board accompanied by the required license fee.

[1967 c.587 §21 (enacted in lieu of 691.270)]

691.275 [1957 c.406 §3; 1961 c.42 §3; repealed by 1967 c.587 §26 (691.276 enacted in lieu of 691.275)]

691.276 License renewals. (1) A license to teach cosmetic therapy shall not be renewed unless the applicant has completed an average of 10 clock hours of professional teacher training for each year the applicant has had a teacher's license. In computing clock hours of professional teacher training, the number of clock hours completed by an applicant before and after issuance of the applicant's original teacher's license, and before and after August 9, 1961, shall be included.

(2) This section does not apply to renewal of a license after a teacher has completed a total of 200 clock hours of such training.

[1967 c.587 §27 (enacted in lieu of 691.275)]

691.280 [Amended by 1953 c.231 §4; 1961 c.386 §7; 1967 c.587 §8; renumbered 691.297]

691.290 Student-teacher permit. (1) An applicant for a student-teacher permit shall:

(a) Pay to the board a $2 permit fee.

(b) Have had two years of high school education or its equivalent.

(c) Be at least 21 years of age.

(d) Be currently licensed as a practitioner in classes A, B and D.

(2) A permit shall be valid for not less than six months nor more than eight months. A permittee may be trained at a school of cosmetic therapy licensed under this chapter which furnishes a course of study in student-teacher training approved by the board.

(3) A licensed school may not train more than one student-teacher for every two licensed teachers of cosmetic therapy employed by the school. A student-teacher is not a teacher for the purposes of subsection (1) of ORS 691.235.

[1967 c.452 §10]

691.295 Student-teacher's eligibility for teacher examination. A student-teacher shall be eligible to take the first teacher's examination given more than six months after issuance of her student-teacher permit. If the permittee fails the teacher's examination, she shall continue student-teacher training for at least 200 hours prior to making application for reexamination for a teacher's license. If she fails a second examination, she shall complete an additional 20 clock hours of professional teacher's training before applying again to take the teacher's examination.

[1967 c.452 §6]

FEES

691.297 School and teacher fees. Fees shall be paid the board for: (1) A license for a school of cosmetic therapy, $150; an annual renewal, $50.

(2) A teacher's license, $5; an annual renewal, $5.

(3) An examination for a teacher's license, $5.

[Formerly 691.280]

691.300 Registration and other fees. Fees required to be paid to the board shall be paid in amounts determined by the board and approved by the Executive Department, except that no fee shall exceed the following:

(1) A certificate of registration as a practitioner in one or more classes of cosmetic therapy, $5; an annual renewal, $4.

(2) A certificate of registration pursuant to ORS 691.060 as a practitioner in one or more classes of cosmetic therapy, $25; an annual renewal, same as provided by subsection (1) of this section.

(3) An examination for a certificate of registration as a practitioner in one or more classes of cosmetic therapy, $5.

(4) A demonstrator's certificate, $1.

(5) A shop license, $20; an annual renewal, $5.

(6) A temporary permit issued pursuant to ORS 691.105, $1.

[Formerly 691.180]

APPENDIX E

ACCREDITED PROPRIETARY SCHOOLS

Among the schools licensed to do business in Oregon, the following have been accredited by the accrediting agency designated:

Accrediting Commission of National Trade and Technical Schools:

Bassist Fashion Institute
North Pacific Dental and Medical College
Electronic Computer Programming Institute of Oregon

Accrediting Commission of National Home Study Council:

Interstate Training Service
Sales Training of Portland, Inc.

Accrediting Commission for Business Schools:

Northwestern College of Business
Portland Secretarial School
Western Business University
Merritt-Davis, Salem and Medford

Cosmetology Accrediting Commission:

Skelton Beauty Academy
A'Arts Eugene College of Beauty
Western Beauty College (Eugene)
Western Beauty College (Klamath Falls)
Medford Beauty School
Beau Monde College of Beauty
Montivilla Beauty School
Pacific School of Beauty Culture
Springfield College of Beauty

APPENDIX F

ORS 481.555 - 481.580
and
Department of Motor Vehicles Administrative Regulations

DRIVER TRAINING SCHOOLS

481.555 "Commercial driver training school" and "instructor" defined for ORS 481.555 to 481.580. As used in ORS 481.085 and 481.555 to 481.580:

(1) "Commercial driver training school" or "school" means a business or nonprofit enterprise engaged in educating and training persons, either practically or theoretically, or both, in the driving of motor vehicles, for a consideration; however, the term does not include a business or nonprofit enterprise engaged in educating and training persons for a profession or an accredited secondary school, college or university.

(2) "Instructor" means any person, whether acting for himself as operator of a school or acting for any such school for compensation, who teaches, conducts classes of, gives demonstrations to or supervises practice of, persons in the driving of motor vehicles.
[1969 c.309 §2]

481.560 License required to operate a commercial driver training school or to instruct; expiration; fees. (1) No person shall operate a commercial driver training school or act as an instructor unless licensed to do so by the division under ORS 481.085 and 481.555 to 481.580. The division shall issue a school license to an applicant who furnishes the required bond and proof of insurance and otherwise complies with ORS 481.085 and 481.555 to 481.580. The division shall issue an instructor license to an applicant who complies with ORS 481.085 and 481.555 to 481.580. Each license shall expire on the last day of each calendar year.

(2) Each application for an original or renewal school license shall be accompanied by a fee of $100. Each application for an original or renewal instructor license shall be accompanied by a fee of $20. The fee may not be refunded in the event any license is refused, suspended or revoked.
[1969 c.309 §3]

481.565 Content of licensing regulations. (1) The administrator shall adopt regulations necessary to carry out ORS 481.085 and 481.555 to 481.580.

(2) The regulations shall state the requirements for a school license, which include requirements concerning manner and form of application, location, place of business, facilities, records, equipment, courses and standards of instruction, instructors, previous records of the school and instructors, financial statements, schedule of fees and charges, character of school operators and instructors, vehicle equipment and condition, inspection during reasonable business hours, and such other matters as the administrator may prescribe for the protection of the public.

(3) The regulations shall state the requirements for an instructor license, including requirements concerning manner and form of application, moral character, physical condition, knowledge of the courses of instruction, traffic laws, and safety principles and practices, driving record, driving ability, previous personal and employment record, and such other matters as the administrator may prescribe for the protection of the public.
[1969 c.309 §4]

481.570 Refusal to issue or renew; suspension and revocation; notice and hearing. (1) The division may refuse to issue or renew, or may suspend or revoke a license issued under ORS 481.085 and 481.555 to 481.580 in any case where the division finds the applicant or licensee has violated or failed to comply with any of the provisions of ORS 481.085 and 481.555 to 481.580.

(2) Upon suspending, revoking or refusing to issue or renew a license, the division shall immediately notify the applicant or licensee stating the reasons for such action and affording reasonable opportunity for a hearing. No such suspension or revocation shall become effective until the licensee has been afforded a reasonable opportunity for a hearing. Upon the conclusion of such hearing, if any, the division shall take such action as may be appropriate.

(3) A suspended or revoked license shall be returned immediately to the division by the licensee.
[1969 c.309 §5]

481.575 Bond required; action on bond. (1) A bond shall be furnished by an applicant for a school license or renewal. The bond shall have a corporate surety licensed to do business within the state. The bond shall be executed to the State of Oregon in the sum of $2,500. It shall be approved as to form by the Attorney General and be conditioned that the applicant, if a license is issued to him, shall conduct his business without fraud or fraudulent representation and without violating any of the provisions of ORS 481.085 and 481.555 to 481.580.

(2) If any person suffers any loss or damage by reason of fraud or fraudulent representation, or violation of any of the provisions of ORS 481.085 and 481.555 to 481.580 by the school, he has a right of action against such school and a right of action in his own name against the surety upon the bond.

(3) All bonds given under this section shall be filed and held in the office of the division. If the bond is canceled by legal notice, the license of the school shall be canceled immediately by the division. If the license of the school is not renewed, or is revoked or canceled, the sureties on the bond shall be relieved from liability accruing subsequent to such cancellation by the division.
[1969 c.309 §6]

481.580 Proof of insurance to be furnished by school licensee. Proof of insurance shall be furnished by an applicant for a school license or renewal by one of the following methods:

(1) Proof of insurance may be given by filing with the division, a certificate of insurance issued to the school by an insurance company authorized to do business in this state showing that the insured has procured and has in effect, a motor vehicle liability policy with the limits of $50,000/100,000/25,000. The policy shall designate by explicit description or by appropriate reference, all motor vehicles with respect to which coverage is granted thereby, and shall insure any and all persons using any such motor vehicle with his consent, against loss from the liabilities imposed by law for damages arising out of the operation, use or maintenance of any such motor vehicle owned or operated by the school;

(2) A bond may be given, conditioned for the paying in behalf of the principal the limits referred to in subsection (1) of this section;

(3) A certificate of the State Treasurer may be furnished stating that such applicant has deposited with him the sum of $50,000 in cash or in securities such as may legally be purchased by fiduciaries or for trust funds of a market value of $50,000; or

(4) Applicant may furnish evidence that he holds a valid certificate of self-insurance issued by the division.
[1969 c.309 §7]

481.605 [Repealed by 1953 c.270 §2]

481.610 [Repealed by 1953 c.270 §2]

481.615 [Repealed by 1953 c.270 §2]

DIVISION 5

COMMERCIAL DRIVER TRAINING SCHOOLS AND/OR INSTRUCTORS

Statutory Authority: 1969 Oregon Laws, chapter 309 (House Bill 1837 [1969].)

Subdivision 1

COMMERCIAL DRIVER TRAINING SCHOOLS

[ED. NOTE: Unless otherwise specified, sections 51-005 through 51-040 of this chapter of the Oregon Administrative Rules compilation were adopted by the Motor Vehicles Division December 8, 1969 and filed with the Secretary of State December 8, 1969 as Administrative Order MV 43. Effective December 8, 1969.]

51-005 LICENSE APPLICATION. Each applicant for an original or renewal commercial driver training school license shall satisfactorily complete an application prepared by the Motor Vehicles Division. No school license shall be transferable.

51-010 QUALIFICATIONS. No individual shall be licensed to operate a commercial driver training school unless he is:

(1) Of good moral character;

(2) At least 21 year of age;

(3) Has a minimum high school education or the equivalent;

(4) Deemed to have a satisfactory driving record as determined by the Motor Vehicles Division.

51-015 LOCATION AND CHANGE OF ADDRESS. (1) No school established after January 1, 1970, shall be located nearer than 1,500 feet to any office of the Motor Vehicles Division.

(2) Any change of address of a licensed school shall be reported to, and the license certificate shall be surrendered to the Motor Vehicles Divison. A new certificate will be issued bearing the new address.

51-020 RECORDS. (1) Every school shall maintain for at least three years records of all students and instructors. They shall be open for inspection during reasonable business hours by authorized representatives of the Motor Vehicles Division.

(2) Prior to licensing, every school shall furnish to the Motor Vehicles Division: previous records of the school and instructors; a financial statement of the school; and a schedule of fees and charges.

51-025 VEHICLE EQUIPMENT AND MAINTENANCE. Motor vehicles owned or leased by a school under this Act, and used for behind-the-wheel instruction must be equipped with dual controls of a type approved by the Motor Vehicles Division. Such vehicles shall be maintained in good mechanical condition, meet all safety equipment requirements and shall be subject to periodic inspection during reasonable business hours by authorized representatives of the Motor Vehicles Division.

51-030 CURRICULUM. Standards for instruction shall include behind-the-wheel instruction covering operation of vehicle controls, performing maneuvers required in normal driving under any traffic situation, and in keeping with state motor vehicle regulations and safe driving practices.

51-035 INSTRUCTORS. Commercial driving schools may only employ instructors licensed by the Motor Vehicles Division and it shall be the responsibility of the school to ascertain that instructors comply with standards of instruction.

51-040 INSURANCE. The certificate of insurance provided for in Section 7 of this 1969 Act shall be on a form provided by the Motor Vehicles Division. It shall include the provision that it will remain effective unless cancelled by a 10-day prior written notice to the Motor Vehicles Division.

Subdivision 2

COMMERCIAL DRIVER TRAINING INSTRUCTORS

[ED. NOTE: Unless otherwise specified, sections 52-005 through 52-020 of this chapter of the Oregon Administrative Rules Compilation were adopted by the Motor Vehicles Division December 8, 1969 and filed with the Secretary of State December 8, 1969 as Administrative Order MV 43. Effective December 8, 1969.]

Statutory Authority: 1969 Oregon Laws, chapter 309

52-005 APPLICATION. Each applicant for an original or renewal commercial driver training school instructor's license shall satisfactorily complete an application prepared by the Motor Vehicles Division.

52-010 QUALIFICATIONS. An applicant for an instructor's license shall be:
(1) Of good moral character;
(2) At least 21 years of age;
(3) A resident of, and licensed as a driver in the state of Oregon with a minimum driving experience of two years;
(4) Deemed to have a satisfactory driving record as determined by the Motor Vehicles Division.

52-015 TESTING. An applicant for an instructor's license shall be required to pass an oral test, written test and driving test conducted by an authorized representative of the Motor Vehicles Division.
(1) The written test shall consist of questions dealing with:
(a) The Oregon Motor Vehicle Law;
(b) Safe driving practices;
(c) Operation of motor vehicles;
(d) Methods of instruction.
(2) The driving test will examine the applicant's ability to drive and to instruct others to drive.
(3) Each applicant will be given a maximum of three opportunities in a calendar year to pass the instructor's examination. Those who fail the first attempt must wait at least three days before taking a second test. Those who fail the second attempt must wait two weeks before taking a third examination. Individuals who fail the third examination must wait one year before taking a fourth examination.

52-020 LICENSE. (1) Each individual who has passed the examination will be issued an instructor's license naming the school with which he is employed, or is associated.
(2) Each instructor shall surrender his license to the Motor Vehicles Division upon changing schools and will receive a new license naming the new school with which he is associated.
(3) No instructor license shall be transferable.

APPENDIX G

SCHOOLS ISSUED CERTIFICATES OF COMPLIANCE BY
STATE DEPARTMENT OF EDUCATION

Advertising Art School
420 S.W. Washington Street
Portland, Oregon 97204

Baker Business College
2005 1st Street
Baker, Oregon 97814

Bassist Fashion Institute
923 S.W. Taylor Street
Portland, Oregon 97205

Beaverton Business College
10835 S.W. Canyon Road
Beaverton, Oregon 97005

Cinderella School of Self Improvement
147 Liberty Street N.E.
Salem, Oregon

Commercial Driver Training
12005 N. Burgard Street
Portland, Oregon 97203

Dynamic Education Centers, Inc.
401 S.W. 11th Avenue
Portland, Oregon 97201

Electronic Computer Programming Institute
Oregonian Building, 1320 S.W. Broadway
Portland, Oregon 97201

Franklin Institute of Sales, Inc.
1101 S.W. Washington Street
Portland, Oregon 97205

Glorea LaVonne Finishing, Fashion,
Modeling and Dress Design School
813 S.W. Alder, Woodlark Building
Portland, Oregon 97205

Interstate Training Service
4035 N.E. Sandy Boulevard
Portland, Oregon 97212

John Robert Powers School of
Finishing & Fashion Modeling
203 S.W. 9th
Portland, Oregon 97205

McKinzie Auto Body & Fender
School
2640 N.E. Alberta Street
Portland, Oregon 97211

Merritt Davis School of Commerce
210 Liberty Street, S.E.
Salem, Oregon 97301

Merritt Davis School of Commerce
400 Earhart
Medford, Oregon 97501

Mt. Hood Ski School, Inc.
19244 S.E. River Drive Court
Milwaukie, Oregon 97222

Norman F. Webb -- Real Estate
Salesman & Broker's Course
710 Capital Tower
Salem, Oregon 97301

North Pacific Dental & Medical
College
720 S.W. Alder St.
Portland, Oregon 97205

Northwest Schools
1221 N.W. 21st Avenue
Portland, Oregon 97209

Northwestern College of Business
1950 S.W. 6th Avenue
Portland, Oregon 97201

Offset and Duplicating School
363 Court Street, N.E.
Salem, Oregon 97301

Oregon Polytechnic Institute
1208 S.W. 4th Avenue
Portland, Oregon 97204

Oregon School of Massage
P. O. Box 55
Eagle Creek, Oregon 97022

Oregon Meat Cutting School
26 N. 7th Street
Cottage Grove, Oregon 97424

Pacific Academy of Accountancy
618 S.W. 5th Avenue
920 Failing Building
Portland, Oregon 97204

Pacific Business College
1119 S.W. Park Avenue
Portland, Oregon 97205

Portland Real Estate School
3024 N.E. Glisan Street
Portland, Oregon 97232

Portland Secretarial School
317 S.W. Alder Street
Portland, Oregon 97204

Portland Upholstering School
7626 N.E. Sandy Boulevard
Portland, Oregon 97213

Reading and Study skills Center
1008 S.W. 6th, Suite 201
Portland, Oregon 97204

Real Estate School of Oregon
904 S.W. Main Street, The
Masonic Temple
Portland, Oregon 97205

Salem Business College
547 Court Street, N.E.
Salem, Oregon 97301

Sales Training of Portland, Inc.
2104 S.W. 5th Avenue
Portland, Oregon 97201

Technical Training Service, Inc.
5018 N.E. Union, P.O. Box 11226
Portland, Oregon 97211

West Coast Training Service
1125 S.E. 21st Street
Milwaukie, Oregon 97222

Western Business University
812 S.W. 10th Avenue
Portland, Oregon 97205

APPENDIX H

MINIMUM STANDARDS FOR THE OPERATION
OF PRIVATE VOCATIONAL SCHOOLS

1. The school's instructional staff shall be qualified in the subject areas in which they teach by educational training and/or a minimum of one year's experience in their teaching field.
2. The school shall provide evidence that it has adequate financial resources to perform its announced instructional program.
3. The school shall have been in operation for not less than two years.
4. The school shall provide physical facilities such as classrooms, shops, laboratories, equipment, light, heat, and ventilation that will permit students to have a satisfactory working environment.
5. The school's owners, managers, directors, and sales representatives shall maintain a satisfactory record of business integrity.
6. The school shall have in operation an adequate system of student screening that will assist in determining the enrollee's aptitude to profit from the instruction provided.
7. The school shall provide reasonable evidence that its graduates are well trained and that the graduates receive advisory employment service.

APPENDIX I

STANDARDS GOVERNING ADVERTISING AND PROMOTION FOR PRIVATE VOCATIONAL SCHOOLS

1. A private vocational school shall not use the word "free" the advertising and promotion of any training program or additional service unless the school can prove that "free training" or "free service" is derived from sources other than tuition or other payments made by students. A school may use "no additional charge" or "no obligation" instead of the word "free" when advertising or promoting a course of training or additional service.

2. A private vocational school shall use no misleading or false advertising. For instance, it is improper to use "warranty" or "warranties" when the service is not capable of being warranted; "guarantee" when it is not truly guaranteed; "certify" when not certified; or "represent" when not represented.

3. A private vocational school may advertise and promote only the training and service it offers. The school shall do nothing to reflect upon the program or the business methods and procedures of other schools.

4. A private vocational school whose course of training has an identifiable vocational objective may have a responsibility for providing placement assistance to its students and, if so deemed by the school, may state this fact in its advertising.

5. A private vocational school shall have records available to document any statement made by the school through advertising media as to the school's record of placing students on jobs.

6. A private vocational school shall include in one of the school's publications (catalog, brochure or other printed material) distributed to students or prospective students an accurate and complete statement of costs, the methods of payment available, refund schedule, and other items relating to the financial obligations a student has to the school. The school shall provide this information to any student or prospective student upon request.
(ORS 345.115 requires that the established refund schedule be a part of or an addendum to any enrollment contract.)

7. A private vocational school may make use of its certification status under provisions of ORS 345.360 only by use of the official certification emblem or by use of the identical wording that appears on the certification emblem or by both.

8. A private vocational school may use "Employment" and "Help Wanted" classified advertisements in newspapers for the sole purpose of procuring employees or agents for the school.

9. A private vocational school shall include the school's name and address on all advertisements the school places through any public relations or advertising media.

APPENDIX J

STANDARDS GOVERNING TEACHER QUALIFICATIONS FOR PRIVATE VOCATIONAL SCHOOLS

All members of the school's instructional staff should meet or exceed the following requirements:

1. An instructor shall have at least two years' work experience or two years' formal education or any equivalent combination of both in the area in which he offers instruction.

2. An instructor shall hold all licenses, certificates and ratings legally required to be employed in the field in which he offers instruction.

3. An instructor shall have teaching instruction or supervised teaching experience.

4. An instructor shall have completed a training program allied to the area in which he offers instruction.

5. An instructor shall demonstrate up-to-date knowledge and continuing study of his particular area of instruction.

6. An instructor's moral, physical, and mental competency shall be the responsibility of the management of the school.

APPENDIX K

REFUND SCHEDULE

Residence Schools

If a student gives notice, IN WRITING, of withdrawal at least two weeks prior to opening of a session, the school shall refund all monies paid by the student except for a registration fee which may not exceed twenty percent (20%) of the total cost of the course.

If a student is registered into classes and has not completed more than twenty-five percent of the contracted training program required for completion of the course as registered with the Oregon Board of Education and withdraws, he shall receive refunds of not less than all monies paid by the student except for a registration fee not to exceed twenty percent (20%) of the total cost of the course plus twenty-five percent (25%) of the total cost of the course.

If a student is registered into classes and has not completed more than fifty percent of the contracted training program required for completion of the course as registered with the Oregon Board of Education, and withdraws, he shall receive refunds of not less than all monies paid by the student except registration fees not to exceed twenty percent (20%) of the total cost of the course plus fifty percent (50%) of the total cost of the course.

If a student is registered into classes and has completed more than fifty percent of the contracted training program required for completion of the course as registered with the Oregon Board of Education and withdraws, no refunds are due him.

Correspondence Schools

The Enrollment agreement form used by a school must clearly outline the obligations of both the school and the student and a copy of the enrollment agreement must be furnished the student either by the school itself or by the school's representative.

Each school must have an established written policy for the settlement of cases where students request discontinuance of training. The following applies as a minimum policy for schools:

a. A student or applicant student may cancel an enrollment within the period specified in this policy. Cancellation occurs when the student or applicant student gives written notice of cancellation to the school at the address of the school. Notice of cancellation need not take a particular form and, however expressed in writing, is effective if it indicates the intention of the student or applicant student not to be bound by the enrollment agreement. Notice is properly given when it is correctly addressed and deposited in a mail box with postage prepaid. The school must acknowledge receipt of the notice of cancellation. Schools may require notice of cancellation to be given by certified or registered mail provided this requirement is stated in the enrollment agreement.

b. An applicant student may cancel his enrollment within seventy-two hours after midnight of the date on which the enrollment agreement is signed. An applicant student requesting cancellation and settlement within this time shall be entitled to a refund of all monies paid to the school or its representatives less a registration fee of 10% of the contract price of the course, but in no event may the school retain more than $50. An applicant student <u>not</u> requesting cancellation and settlement within this time will be presumed to have started the course.

c. For a student requesting cancellation of his enrollment after he has started the course but within 30 days of the date of his enrollment, the charge made by the school to the student shall not exceed the larger of the following:

   1. Pro-rata cost of lessons completed.
   2. 15% of the contract price of the course plus $50.

e. For a student requesting cancellation of his enrollment after 60 days but not more than 90 days from the date of his enrollment, the charge made by the school to the student shall not exceed the larger of the following:

1. Pro-rata cost of lessons completed.
2. 25% of the contract price of the course plus $50.

f. For a student requesting cancellation of his enrollment after 90 days but not more than 180 days from the date of his enrollment, the charge made by the school to the student shall not exceed the larger of the following:

1. Pro-rata cost of lessons completed.
2. 50% of the contract price of the course plus $50.

g. A student requesting cancellation of his enrollment after 180 days from the date of enrollment is not entitled to any refund as a matter of right and is obligated for the full contract price of the course.

All Schools

In the case of student illness or accident, death in the family, or other circumstances beyond the control of the student, the student shall be entitled to consideration and the school shall make a settlement which is reasonable and fair to both.

Any correspondence regarding cancellation and settlement between the student and the school itself, banks, collection agencies, lawyers or any other third persons representing the school, must clearly acknowledge the existence of this cancellation and settlement policy.

Even if promissory notes or contracts for tuition are sold or discounted to third parties, schools must still comply with the cancellation and settlement policy outlined in this section.

Collection procedures used by a school must reflect good taste and sound and ethical business practices.

No action at law shall be brought to secure a refund under this contract unless brought within six months of the date the student withdraws or the date agreed upon for the completion of the course, whichever event occurs first, but for a breach of contract the parties shall have their ordinary legal remedies. Withdrawal of a student shall not be considered a breach of contract.

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This refund policy established by the Superintendent was developed by and unanimously approved by the Advisory Committee for Private Vocational Schools, appointed under ORS 345.330.

Regulations Applicable to the Established Refund Schedule

1. The established refund schedule for schools domiciled in the State of Oregon shall be contained within any tuition and training contract made within the State of Oregon by and between a person and a private vocational school for the purpose of that person obtaining instruction in the vocational school.

2. The established refund schedule is not applicable to nor required to be contained in the tuition or training contract negotiated by a "foreign vocational or correspondence school" as defined in ORS 345.010.

3. An acceptable alternative to the inclusion of the established refund schedule within the body of the tuition and training contract would be to have the refund schedule appear as a supplement to the contract. Such a supplement will be acceptable providing that this supplement to the contract bears the signature of the parties.

4. All private vocational schools, to which the refund sche dule is applicable, shall furnish this office with a copy of the tuition training contract agreement and/or supplement to the tuition training contract in which is shown the inclusion of the established refund schedule with the contract or supplement to the contract.

5. On or after (Date), this established refund policy shall be effective.

Appendix L

FISCAL YEAR 1970 ENROLLMENT
MANPOWER DEVELOPMENT AND TRAINING IN EDUCATIONAL AGENCIES

Agency	Enrollment
Blue Mountain Community College	20
Central Oregon Community College	19
Chemeketa Community College	21
Clackamas Community College	7
Clatsop Community College	4
Fairview Hospital and Training Center	40
Lane Community College	95
Linn-Benton Community College	75
Mt. Hood Community College	11
Oregon Technical Institute	3
Portland Community College	358
Private Schools of Business	213
Southern Oregon College	2
Southwestern Oregon Community College	6
Treasure Valley Community College	7
Umpqua Community College	26
Private Vocational and Technical Schools	84
T O T A L	991

APPENDIX M

STUDENT ENROLLMENT DATA
IN PROPRIETARY SCHOOL PROGRAMS

The basic assumption underlying academic load in post-high school education is that full-time study is equivalent to full-time employment in business or industry. Given this assumption, weekly credit hours in given programs are a somewhat arbitrary nomenclature designed to express a relationship between school activities and a work week. For proprietary schools, no nomenclature for this purpose has previously been devised. Programs and courses have a total "hours of instruction" designation and/or a calendar time duration.

In order to establish a nomenclature which is compatible with that of colleges and universities, it can be assumed that a student in a full-time proprietary program will use approximately thirty (30) of the total hours of instruction per week. (This predicates a thirty (30) hour work week.)

Expressing the weekly load in quarter terms, as is done in colleges and universities, is accomplished by multiplying the weekly hours by 11, the nominal length of an academic quarter, or 330.

Thus, the formula for articulation between proprietary schools and colleges and universities is as follows:

$$FTE = \frac{\text{hours}^*}{330}$$

In order to express proprietary FTE in a quarterly form it is also necessary to accommodate the random lengths and start up times of proprietary programs. Reports will be submitted every three months showing

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* Hours means the total number of hours in the program as listed by the institution.

a non-duplicated student headcount of all starts within the quarter in which the student has completed one-third of a program of study or more. This means that a given institution will report the number of students who have started new programs within the last three months and who have either completed the programs within the three month period or who have completed more than one-third of the given program. They will not report students who began programs more than three months earlier and were previously counted. However, it will be necessary for them to report students who began programs in the previous quarter but who had not completed more than one third of their program at that time.

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